


JUL 29 2010

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CONNELLEY, CLERK
BY: 
DEPUTY CLERK

JEFFREY JASON GARDNER,)	Civil Action No. 7:10-cv-00329
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
C. HAWKS, <u>et al.</u> ,)	By: Hon. James C. Turk
Defendants.)	Senior United States District Judge

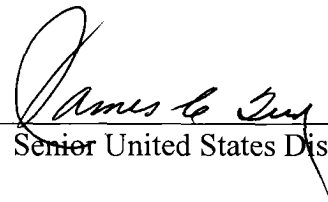
In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that plaintiff's complaint is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915A(b)(1), and the action is **STRICKEN** from the active docket of the court. Plaintiff may refile his claims at the time of his choosing.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 28th day of July, 2010.


Senior United States District Judge